transformation other than those set to the second predetermined color are copied to

corresponding pixels of the display.

REMARKS

Reconsideration of the application is requested in view of the following remarks.

Upon entry of the present amendment, claims 1-26 remain pending in the application.

Patentability Over Photoshop and Dye

Claims 1-3, 5, 7-13, 15, and 17-26 were rejected under 35 U.S.C. §102(a) as being

anticipated by Adobe Photoshop 5.0 ("Photoshop"). Claims 4, 6, 14, and 16 were rejected under

35 U.S.C. §103(a) as being unpatentable over Photoshop in view of U.S. Patent No. 5,909,219

("Dye"). Applicant respectfully traverses the rejections.

Claims 1-21

Independent claims 1, 13 and 19 generally relate to displaying a "transparent image" with

transparent and non-transparent pixels over a display image. The recited methods comprise four

basic steps: (1) generating a mask, (2) transforming the image, (3) copying the mask to the

display, and (4) copying the image to the display. Moreover, further details of these basic steps

are set out in the claims. In particular, for the generating a mask step, the claims specify mask

pixels corresponding to the non-transparent pixels of the image are set to a "second

predetermined color." In the transforming the image step, the claims detail that the transparent

pixels are set to this same "second predetermined color." In the copying steps, the claim

specifies that the "second predetermined color" pixels of the mask are copied to the display, and

then the pixels other than the "second predetermined color" pixels in the image are copied to the

display. This particular sequence of steps in displaying a transparent image over a display image

are not taught or suggested by the cited references.

The Office asserts that this sequence of steps is identically set forth in the Photoshop reference. Applicants respectfully disagree.

Photoshop is a user guide that describes the mask and channel features of the Adobe Photoshop 5.0 photo editing software product. For example, Photoshop states, "Masks let you isolate and protect areas of an image as you apply color changes, filters, or other effects to the rest of the image." (*See*, Photoshop at page 249, "About masks.") Photoshop shows examples of some masks generated using a quick masks or alpha channel modes, including an "opaque mask used to protect the background and color the shell" and an "opaque mask used to protect the shell and color the background." (*See*, Photoshop at page 250, Figures A and B.) Photoshop further describes using masks as "layer masks" to show or hide a layer. (*See*, Photoshop at page 27.)

However, Photoshop fails to set forth performing the sequence of steps as specifically recited in these claims. (See, MPEP § 2143.03, "To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).") In particular, Photoshop does not teach or suggest transforming the transparent image by setting the transparent pixels to the same "second color" used for the non-transparent pixels in the mask. Further, Photoshop does not teach or suggest both copying the "second color" pixels of the mask to the display, and then copying the non-"second color" pixels of the transformed image to the display.

Moreover, Dye fails to suggest modifying Photoshop to provide these missing limitations. Dye describes embedding a transparency enable bit as part of resizing bit block transfer operation. (*See*, Dye at title.) Dye lacks any suggestion to transform the transparent

image by setting the transparent pixels to the same "second color" used for the non-transparent pixels in the mask. Further, Dye lacks any suggestion to both copy the "second color" pixels of the mask to the display, and then copy the non-"second color" pixels of the transformed image to the display.

For these reasons, the claims 1-21 are allowable over this art.

Claims 22-26

Claim 22 is directed to a class library that provides a function to be called from a separate application program to display a transparent image on a display, where the function caches a mask and transformation of the image. The cited art fails to teach or suggest a computer with such class library.

The Office asserts that the "channels" described in Photoshop read on the recited "class library." Applicants respectfully submit that this reading would contradict the ordinary and common meaning of the claim language.

Per the Microsoft Computer Dictionary, 4th Edition, 1999, the term "class library" is defined as follows: "class library *n.* A collection of standard routines and sub-programs that a programmer can use in object-oriented programs. A typical class library for a graphical user interface might include routines for buttons and scroll bars; or a class library for a communications program might include a routine for dialing a telephone line through a modem."

Consistent with the accepted definition of a class library as a collection of routines and sub-programs, claim 22 further recites that an application program calls a function in the class library.

The "channels" described in Photoshop are not a collection of standard routine and sub-programs, and cannot be considered the recited "class library." Photoshop lacks any description

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of the "channels" being a collection of routines and sub-programs, and lacks any description that the "channels" are called by other application programs. Accordingly, the person of ordinary skill in the art would clearly not interpret the recited "class library" and display "function" to read on Photoshop's "channels."

For this reason, claims 22-26 clearly also are allowable over this art.

CONCLUSION

Applicant respectfully submits that, upon entry of the present amendment and in light of the arguments herein, all claims are in condition for allowance. An early notice to that effect is respectfully requested. Should any matters remain, the Examiner is respectfully requested to telephone the undersigned, in accordance with MPEP 713.01.

Respectfully submitted,

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cc: Patent Group Docketing

Marked-up Version of Amended Claims and Specification
Pursuant to 37 C.F.R. §1.121(b)-(c)

In the Specification:

Pursuant to 37 C.F.R. §1.121(b), Applicant submits marked-up versions of the amendments to the specification.

Please amend the paragraph at page 1, line 8 as follows:

Images that are displayed on displays of computers and computerized devices typically are made up of a number of pixels. Each pixel usually has associated with it a color value. For example, with monochrome (black-and-white) pictures, a black pixel may have a value of one, while a white pixel may have a value of zero, such that the color of any pixel can be described with one bit, referred to as the color depth of the pixel. Non-monochrome – viz., color – pixels typically have a greater color depth, made of two, four, eight, or even more bits. For example, pixels that have a color depth of eight [pixels] bits can take on any of $2^8 = 256$ different colors.

Please amend the paragraph at page 3, line 6 as follows:

The invention relates to displaying transparent images. In one embodiment, a method includes generating a mask of the transparent image, where each pixel of the mask that corresponds to a transparent pixel of the image is set to a first predetermined color, and all other pixels are set to a second predetermined color. The image itself is transformed so that each pixel thereof that is transparent is set to the second color as well. In one embodiment, the mask generation and image transformation are performed in a first stage, such that the mask is cached.

In the Claims:

Pursuant to 37 C.F.R. §1.121(c), Applicant presents the following marked-up version of the amended claims.

1.   (Amended) A computer-implemented method for displaying a transparent image <u>at a</u>

<u>location on a display, the transparent image</u> having a plurality of pixels, some of which are

transparent, [at a location on a display] <u>the method</u> comprising:

generating a mask of the transparent image having a plurality of pixels corresponding to

the plurality of pixels of the transparent image, such that each pixel of the mask that corresponds

to a transparent pixel of the image is set to a first predetermined color, and every other pixel of

the mask is set to a second predetermined color;

transforming the transparent image such that each pixel thereof that is transparent is set to

the second predetermined color;

copying the mask to the location on the display such that only pixels of the mask that

have been set to the second predetermined color are copied to corresponding pixels of the

display; and,

copying the transparent image as has been transformed to the location on the display such

that only pixels of the image other than those set to the second predetermined color are copied to

corresponding pixels of the display.

13.   (Amended) A machine-readable medium having instructions stored thereon for execution

by a processor to perform a method for displaying a transparent image <u>at at least one location on</u>

<u>a display, the transparent image</u> having a plurality of pixels, some of which are transparent, [at

least one location on a display] <u>the method</u> comprising:

performing once a first stage comprising:

generating a mask of the transparent image having a plurality of pixels

corresponding to the plurality of pixels of the transparent image, such that each pixel of the mask

that corresponds to a transparent pixel of the image is set to a first predetermined color, and

every other pixel of the mask is set to a second predetermined color;

transforming the transparent image such that each pixel thereof that is transparent

is set to the second predetermined color; and,

performing for each location at which the image is to be displayed a second stage

comprising:

copying the mask to the location on the display such that only pixels of the mask that

have been set to the second predetermined color are copied to corresponding pixels of the

display; and,

copying the transparent image as has been transformed to the location on the display such

that only pixels of the mask other than those set to the second predetermined color are copied to

corresponding pixels of the display.

19.   (Amended) A computer-implemented method for displaying a transparent image at a

location on a display, the transparent image having a plurality of pixels, some of which are

transparent, [at a location on a display] the method comprising:

generating a mask of the transparent image having a plurality of pixels corresponding to

the plurality of pixels of the transparent image, such that each pixel of the mask that corresponds

to a transparent pixel of one of the transparent image and a pattern image is set to a first

predetermined color, and every other pixel of the mask is set to a second predetermined color;

transforming the transparent image such that each pixel thereof that is transparent is set to

the second predetermined color;

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copying the mask to the location on the display such that only pixels of the mask that

have been set to the second predetermined color are copied to corresponding pixels of the

display; and,

copying the transparent image as has been transformed to the location on the display such

that only pixels of the mask other than those set to the second predetermined color are copied to

corresponding pixels of the display.